

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 23-CV-80992-RLR**

ROMSPEN INVESTMENT LP,

Plaintiff,

v.

STEPHEN J. DIBERT,
MFI-MIAMI HOLDINGS LLC,
MFI-MIAMI LLC, and
MFI-MIAMI NM LLC,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION REGARDING
WITHDRAWAL OF COUNSEL AND ENTRY OF A DEFAULT
AS TO THE CORPORATE DEFENDANTS**

This matter comes before the Court on Defense Counsel Samantha Stevins' Motion to Withdraw as Attorney. DE 193. Plaintiff opposed Counsel's withdrawal because her motion did not include the current mailing address for her clients as required by Local Rule 11(d)(3). DE 195 at 1. The Motion was referred to the Honorable Bruce E. Reinhart for a Report and Recommendation. DE 196. On February 14, 2025, Judge Reinhart conditionally granted Ms. Stevins' motion subject to her providing the current email and mailing addresses for each of her clients. DE 197. In the same order, Judge Reinhart notified Defendants MFI-Miami Holdings LLC, MFI-Miami LLC, and MFI-Miami NM LLC (the "Corporate Defendants"), that "corporate entities cannot appear pro se and must be represented by counsel. *See Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985)." *Id.* He then ordered the Corporate Defendants to obtain counsel by February 28, 2025, and cautioned them that failing to retain counsel may result in the entry of a default judgment against them. *Id.* Attorney Stevins satisfied the conditions for

withdrawal on February 14, 2025. DE 198, 199. The Corporate Defendants did not, and still have not, obtained counsel.


As a result, on March 5, 2025, Judge Reinhart issued a Report and Recommendation recommending that (1) Counsel be allowed to unconditionally withdraw and (2) the Court direct the Clerk of Court to enter defaults under Federal Rule of Civil Procedure 55(a) against the Corporate Defendants. DE 214. The deadline for a party to file objections to the Report and Recommendation was March 16, 2025. *Id.* Neither party filed an objection, nor a Notice of No Objection. The Court has thoroughly reviewed the Report and Recommendation, the Motion to Withdraw as Attorney, and the record, and is fully advised in the premises.

Upon review, the Court finds Judge Reinhart's recommendations to be well-reasoned and correct, and the Court agrees with the factual recitation and the analysis in the Report and Recommendation.

For the foregoing reasons, it is hereby **ORDERED and ADJUDGED** that:

1. Magistrate Judge Reinhart's Report and Recommendation [DE 214] is **ADOPTED**.
2. Defense Counsel Samantha Stevins' Motion to Withdraw as Attorney [DE 193] is **GRANTED**.
3. The Clerk of Court is **ORDERED** to enter defaults under Federal Rule of Civil Procedure 55(a) against MFI-Miami Holdings LLC, MFI-Miami LLC, and MFI-Miami NM LLC.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 27th day of March, 2025.



ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE

Copies furnished to Counsel of Record